

UNITED STATES OF AMERICA :
 :
 v. : Case No. 3:05-cr-16-KRG-KAP-1
 WILLIE G. GULLEY, JR., : (Case No. 3:15-cv-289-KRG-KAP)
 Defendant :

Movant Willie Gulley's motion to vacate, docket no. 228, was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72.

The movant was notified that pursuant to 28 U.S.C. § 636(b)(1), he had fourteen days to file written objections to the Report and Recommendation. Movant filed a motion to vacate the sentence in United States v. Gulley, Case No. 3:15-cr-13-KRG-KAP (W.D.Pa.) which is pending, see No. 15-cv-308-KRG-KAP (W.D.Pa.) and has not filed objections to the Report and Recommendation.

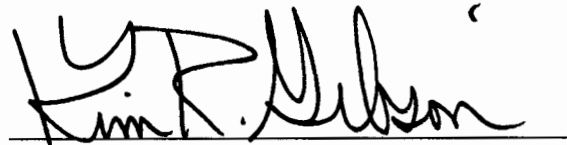
After de novo review of the record, the Report and Recommendation, and noting the new motion to vacate and the lack of objections to the Report and Recommendation, the following order is entered:

AND NOW, this 21st day of December, 2015, it is

ORDERED that the movant's motion to vacate is denied.

No certificate of appealability is issued. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark the civil matter closed. The motion to vacate in United States v. Gulley, Case No. 3:15-cr-13-KRG-KAP (W.D.Pa.) remains with the Magistrate Judge for further proceedings.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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